

Message Text

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ACTION NEA-07

INFO OCT-01 SS-14 ISO-00 L-01 EB-03 INR-05 CIAE-00 NSCE-00

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FM AMEMBASSY CAIRO

TO SECSTATE WASHDC 7196

C O N F I D E N T I A L CAIRO 10291

LIMDIS

E.O. 11652: GDS

TAGS: EFIN PFOR CPRS EG

SUBJECT: CLAIMS AGAINST EGYPT (SIXTEENTH MEETING OF
JOINT COMMITTEE)

1. THE SIXTEENTH MEETING OF THE JOINT COMMITTEE WAS HELD AT DR. DEWIDER'S OFFICE. IT MARKED THE RESUMPTION OF THE SECOND ROUND OF FORMAL NEGOTIATIONS ON PRIVATE CLAIMS OF US NATIONALS.
 2. OPENEING THE DISCUSSIONS, DEWIDAR STATED WHAT HE EMPHEMISTICALLY TERMED NEED FOR REVIEW OF (A) GENERAL PRINCIPLES; (B) FIGURES ON BASIS OF VERIFICATION OF ACTUAL CASES AND (C) LUMP SUM SETTLEMENT AGREEMENT. HE PROCEEDED TO RESTATE ANEW THE ORIGINAL EGYPTIAN POSITIONS ON DUAL NATIONALITY, VALUATION OF LAND ON BASISOF EGYPTIAN FORMULA, AND LEGAL CONSEQUENCES OF EGYPTIAN LAWS ON SEQUESTRATION AND NATIONALIZATION. HE ADDED THAT FIGURE OF 350 EGYPTIAN POUNDS PER FEDDAN FOR AGRICULTURAL LAND (PREVIOUSLY AGREED) WAS UP FOR FURTHER CONSIDERATION. IN PARTICULAR, HE OBJECTED TO HABACHY AND NADLER CLAIMS AS BEING INELIGIBLE FOR COMPENSATION BECAUSE OF DUAL EGYPTIAN NATIONALITY. REGARDING THE AMERICAN MISSION CASE, HE OBJECTED TO THE VALUATION ASSERTED BY THE AMERICAN MISSION AS BEING TOO HIGH, BUT REAFFIRMED THAT ONE PIECE OF LAND AT ASSIUT WOULD BE RETURNED AS PREVIOUSLY AGREED.
 3. US DEL NOTED THAT THE EGYPTIAN VIEWS HAD ALREADY BEEN EXTENSIVELY DISCUSSED AND NOTED AT PREVIOUS MEETINGS AND US DEL
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HAD INFORMED EGYPTIAN DEL THAT IT COULD NOT ACCEPT THEM AS CON-

TROLLING BASES FOR SETTLEMENT. US DEL, FOR THE RECORD, RESTATED VIEWS REGARDING (A) THE DOMINANT AND EFFECTIVE NATIONALITY RULE OF DUAL NATIONALS; AND (B) DETERMINATION OF COMPENSATION ON BASIS OF FAIR MARKET VALUE IN ACCORDANCE WITH EGYPTIAN LAW, US LAW AND INTERNATIONAL LAW.

4. COMMENT: THE EGYPTIAN REPLY WAS NOT WHOLLY UNEXPECTED, BUT IT DOES POINT OUT NEED TO TAKE CONSERVATIVELY EGYPTIAN PROPOSALS AT THEIR FACE VALUE. AT THIS STAGE IT IS TOO EARLY TO DISCERN TURN AND TONE OF FUTURE MEETINGS.

5. THE NEXT (SEVENTEENTH MEETING) OF THE JOINT COMMITTEE IS SCHEDULED FOR MONDAY, OCTOBER 20.
EILTS

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Margaret P. Grafeld
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